

FEB-13-2008 15:41

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Trustees of the Westchester Putnam Counties Laborers'
Local No. 60 Heavy & Highway Benefit Funds,
Welfare, Pension, Annuity, Education & Training Fund,
and Legal Services Funds,

**STIPULATION AND ORDER
OF DISCONTINUANCE**

Plaintiffs,

Index No. 07 Civ.3460 (CLB)

—against—

PERSICO CONTRACTING & TRUCKING, INC.,

Defendant.
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IT IS HEREBY STIPULATED, by and between counsel for the Plaintiffs and Defendant in the within action that whereas no party is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, this action is discontinued and without costs to any party.

DATED: February 13, 2008

BARNES, IACCARINO, VIRGINIA,
AMBINDER & SHEPHERD, PLLC
Attorneys for Plaintiffs

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SO ORDERED: February 14, 2008

Chandler B. Burt
USDC